

ASSEMBLY BILL

No. 2130

Introduced by Assembly Member DeVore

February 21, 2006

An act to add Section 8717.5 to the Family Code, and to add Section 366.24 to the Welfare and Institutions Code, relating to the placement of children.

LEGISLATIVE COUNSEL'S DIGEST

AB 2130, as introduced, DeVore. Placement of children: values.

Existing law authorizes the juvenile court to terminate parental rights with respect to certain dependent children and to take specified action with respect to those children, including placing a child for adoption or appointing a legal guardian for a child. Existing law also governs the adoption of children who have been placed for adoption by a licensed county adoption agency or the State Department of Social Services.

This bill would, with respect to a dependent child for whom parental rights have been terminated or a child who has been placed for adoption by a licensed county adoption agency or the State Department of Social Services, require a court to consider the religious, cultural, moral, and ethnic values of the child or of his or her birth parents, if those values are known or ascertainable by the exercise of reasonable care before placing the child for adoption or appointing a legal guardian for the child.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8717.5 is added to the Family Code, to
2 read:

3 8717.5. Prior to granting a petition to adopt a child who has
4 been placed for adoption by a licensed county adoption agency or
5 the department, the court shall consider the religious, cultural,
6 moral, and ethnic values of the child or of his or her birth parents,
7 if those values are known or ascertainable by the exercise of
8 reasonable care.

9 SEC. 2. Section 366.24 is added to the Welfare and
10 Institutions Code, to read:

11 366.24. If the court terminates parental rights to a child
12 pursuant to Section 366.26, then prior to appointing a legal
13 guardian for that child or placing the child for adoption, the court
14 shall consider the religious, cultural, moral, and ethnic values of
15 the child or of his or her birth parents, if those values are known
16 or ascertainable by the exercise of reasonable care.